UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:23-CV-00876-FDW-SCR

| KRYSTLE FRAISER, |) |
|--------------------------------|--------|
| Plaintiff, |)) |
| v. | ORDER |
| AMSHER RECEIVABLES MANAGEMENT, |)) |
| Defendant. |)) |
| |) |

THIS MATTER is before the Court *sua sponte* concerning the status of this case. On December 19, 2023, Plaintiff filed a *pro se* Complaint in this Court. (Doc. No. 1.) On February 8, 2024, the parties filed a Notice of Settlement and were instructed by the Clerk of the Court that entry of judgment or a stipulation of dismissal must be filed within thirty (30) days. (Doc. No. 4.) After neither entry of judgment or a stipulation of dismissal were filed, the Court *sua sponte* extended the period to file a stipulation of dismissal, or at a minimum a status report regarding the settlement, to July 12, 2024. (Doc. No. 5.) Defendant filed a status report stating it has fulfilled the terms of the settlement and requested Plaintiff file a dismissal with prejudice. (Doc. No. 6).

After Plaintiff failed to file a stipulation of dismissal or any other pleading, the Court ordered Plaintiff to show cause by September 10, 2024, why the Complaint should not be dismissed for failure to prosecute. (Doc. No. 7).

To date, Plaintiff has not responded to the Court's Order, and the time for doing so has expired. Plaintiff has not filed a stipulation of dismissal or any additional pleadings in this matter. The Court finds it is important to keep its docket from becoming backlogged with dormant cases. See Erline Co., S.A. v. Johnson, 440 F.3d 648, 654 (4th Cir. 2006).

IT IS THEREFORE ORDERED that Plaintiff's claims are DISMISSED WITHOUT PREJUDICE. The Clerk of Court is respectfully directed to CLOSE THE CASE.

IT IS SO ORDERED.

Signed: September 17, 2024

Frank D. Whitney

United States District Judge